

MINUTES

PROPERTY AND RIGHT-OF-WAY COMMITTEE MEETING THURSDAY, MARCH 18, 2004 10:00 A.M. CITY HALL 4TH FLOOR – LARGE CONFERENCE ROOM

Members Present:

Hector Castro, P.E., City Engineer
Sharon Miller, Assistant City Attorney, substituting for Bob Dunckel
Tony Irvine, City Surveyor
Chris Barton, Planner II,
Kathy Connor, Parks Supervisor
Susan Batchelder, Administrative Assistant I, Code Compliance, substituting for Lori Milano

Staff Present:

Ed Udvardy, Manager of General Services
Victor Volpi, Senior Real Estate Officer
Mehrdad "Mike" Fayyaz, P.E., Assistant City Engineer
Maureen Barnes, Administrative Assistant I
Rafeela Persaud, Word Processing Secretary
Eileen Furedi, Clerk II

Guests Present:

Elizabeth Hays
George Morgan
Scott Copeland
Dennis DeRolf
Rene Lipine

Hector Castro called the meeting at 10:13 A.M. and stated that this is a Committee of City staff personnel serving as an advisory panel to the City Manager on appropriate uses of City property and right-of-way.

ITEM ONE: APPROVAL OF FEBRUARY 19, 2004 MINUTES

**MOTION BY TONY IRVINE TO APPROVE THE MINUTES. SECONDED BY KATHY CONNOR.
MOTION PASSED UNANIMOUSLY.**

ITEM TWO: REQUEST TO SURPLUS PROPERTY

Address or General Location: northeast corner of SR 441 and Davie Boulevard

Victor Volpi introduced item stating that the Real Estate Office gets many requests these days to surplus property for the purpose of development. He stated that the City acquired from FDOT approximately 21,587 square feet on the northeast corner of SR 441 and Davie Boulevard, at no cost, with a (deed) restriction that it would be used for landscaping and to become a "Welcome Park". He stated that should the vacant land be used for anything else, FDOT would require full fair market value for the property. He said that George Morgan client is interested in purchasing this property and would like to propose a "swap" to be approved by the neighborhood to satisfy the Park Department. He said that the Charter prescribes that all land sold by the City requires a bid process. Victor Volpi introduced George Morgan.

Mr. Morgan stated that they have been trying to assemble this property for approximately two years, and that the acquisition of the City's three lots was deeded from FDOT, led into the right-of-way on SR 441. Mr. Morgan said that a narrow strip along Davie Boulevard was also owned by the City. Mr. Morgan said that the lots would be used for landscaping and parking only. Mr. Morgan described the lots along Davie Boulevard and said that per the plan, the three lots would be squared off with the retail shopping plaza making it more commercially viable and could include an entry sign, maybe incorporate a bus stop into a portion of the property and upgrade the sidewalks. He recognized the problem with DOT but suggested using the proceeds from the commercial plaza for a park somewhere else in the neighborhood as the homeowners wanted green space areas.

Discussion followed as to the City owned lots, the relocation of Walgreens, the specific language in the deed.

Victor Volpi read the restrictions on the deed which stated that the property was to be used for landscaping, installation of an entry sign into the City and as a "Welcome Park". He stated that if the property ceases to be used for the above-described purposes, all property rights would revert back to DOT. Victor Volpi said that DOT would demand fair market value and then the City would have to pay for the property in order to obtain a free and clear deed, which could then be put out for bid.

Discussion followed regarding the deed restrictions by DOT on the property.

Elizabeth Hays introduced herself as, Secretary of the River Run Civic Association and Secretary of the Southwest Coalition, and Dennis DeRolf, a member of the Southwest Coalition and serving on the Master Plan Committee. Ms. Hays stated that due to the disastrous Riverland shopping center and prostitution in the neighborhood, the Southwest Coalition was formed to clean up the area and uplift Davie Boulevard. Ms. Hays said that they are still working on revitalizing Davie Boulevard. Ms. Hays said that their main interest was to make sure that there would be an adequate entranceway sign to the City of Fort Lauderdale. Ms. Hays said that they want an open space as an oasis coming in to the City. Ms. Hays said that there were no objections to the plans and the County should not be collecting any money for this property.

Discussion followed as to the procedure and/or agreement with FDOT if the City sells the property, other green space in the area, and arrangements if possible for an exchange.

MOTION BY SHARON MILLER TO DEFER UNTIL OTHER PROPERTIES ARE IDENTIFIED, THEIR VALUE DETERMINED, AND VIABILITY OF THEIR BEING SWAPPED. SECONDED BY TONY IRVINE.

Hector Castro asked the Committee for their consensus regarding a transaction that would cost the City no money, placing the property on the tax roll as the development would benefit the neighborhood, and the neighborhood having green space elsewhere and an entrance. Tony Irvine said that he has some reservations and the City would need to acquire comparable green space and some money to help develop the parcels. Chris Barton said that there would be some land use and zoning issues.

MOTION PASSED UNANIMOUSLY.

ITEM THREE: AGREEMENTS TO FENCE ALLEY IN THE RESERVATION AREA/VARIOUS PROPERTIES IN PROGRESSO

Address or General Location: NW 7 Street and NW 8 Street, between Andrews Avenue and NW 3 Avenue

Victor Volpi introduced item stating that Old Progresso Village is a townhouse development in various blocks of Progresso, near N.W. 7th and 8th Streets, between Andrews and N.W. 3rd Avenues. He said that in order to show a unified look, the applicant would like a positive recommendation to allow each unit shown on the exhibit to construct a fence in the alley reservation area. He said that the townhouses would be sold to individual property owners and the agreements would have to be with the individual property owners. Victor Volpi introduced Rene Lepine.

Mr. Lepine stated that the zoning required duplex homes and out of the 12,000 lots, 8,000 are zoned alike, and approximately 7,900 lots have fences. He said he was told they could not put up a fence because of the alley reservation and would need a license agreement.

Sharon Miller stated she did not think a license agreement would be appropriate, as they would be setting a precedent.

Discussion followed as to the width of the unimproved alley, vacation of the alley and retaining the utility easements as needed, and getting the CRA to apply for the vacation.

MOTION BY SHARON MILLER TO RECOMMEND A VACATION THROUGH THE CRA OR THE NEIGHBORHOOD ASSOCIATION. SECONDED BY CHRIS BARTON.

MOTION PASSED UNANIMOUSLY.

ITEM FOUR: PURCHASE OF PROPERTY

Address or General Location: 2913 NW 13 Street

Victor Volpi introduced item stated that a while back, the City targeted the property that directly abuts the "Wingate landfill" site for acquisition. He stated that at that time, a few lots were selected and one

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of the lot was left out, Mr. Walker's property who could not sell at the time. He said that she is now willing to do so and her attorney had proposed \$85,000 with the City paying all back taxes and relocation costs. He stated that the property was appraised at \$80,000 and the City has negotiated at a selling price of \$85,000, with both parties paying their own normal costs. He stated that request is being made for a recommendation to the City Manager to purchase this property. Victor Volpi introduced Ed Udvardy, Manager of General Services.

Ed Udvardy stated that in the late 1990's, when the remediation of the Wingate site took place, they had met with the affected property owners around the perimeter of the Wingate Landfill to purchase their properties. He said that he was successful in purchasing about 60-70%, which have since been demolished. He said that Mrs. Walker contacted the City Manager's office about selling her property for \$85,000, which is twice the value compared to the original offer in 1999/2000. He said that the funds would be deducted from the Sanitation reserves and the property would be demolished and would be reused. He said the deadline had past but it would still be consistent with the plan two years before, and he would like to take a positive recommendation to the City Manager.

Discussion followed as to the advantage of buying this property now, the area being environmentally clean, and the pros and cons as to buying the properties after the deadline.

MOTION BY TONY IRVINE TO RECOMMEND TO THE CITY MANAGER TO PURCHASE THE PROPERTY AS PROPOSED, CONTINGENT UPON THE CITY ATTORNEY'S REVIEW AND THE IMPACT ON THE SETTLEMENT OF WINGATE.

SECONDED BY KATHY CONNOR. MOTION PASSED UNANIMOUSLY.

Meeting adjourned at 11:28 A.M.